

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)	
v.)	
JOHN DOE, a/k/a)	
ALFREDO RIOS, a/k/a)	
ALFREDO RIOS PEREZ, a/k/a)	
ALFREDO RODRIQUEZ RIOS, a/k/a)	
ALFREDO RODRIQUEZ, a/k/a)	
OBED RIVERA)	

UNITED STATES' UNOPPOSED MOTION TO AMEND/CORRECT NAME
OF THE DEFENDANT IN THE INDICTMENT

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and requests that the indictment and documents under case number 2:06cr233-MHT be amended/corrected to reflect the defendant's correct name as FRANCISCO AMAURY RUIZ OGANDO and as grounds states the following:

1. On September 21, 2006, John Doe escaped from Maxwell Federal Prison Camp, Maxwell Air Force Base, Montgomery, Alabama, under the name Alfredo Rodriquez Rios¹. John Doe was serving a sentence of imprisonment imposed by the Middle District of North Carolina. On October 11, 2006, John Doe (also known by the above listed aliases) was indicted by a grand jury in the Middle District of Alabama and charged in a one-count indictment with Escape from the Maxwell Federal Prison Camp.

2. On June 27, 2007, the defendant entered a guilty plea before United States Magistrate

¹ Rodriquez has been spelled with a "q" and a "g". Since Rodriquez/Rodriguez is not part of the defendant's correct name, the correct spelling is irrelevant and should not affect the requested correction in the defendant's record.

Judge Susan Russ Walker to escape from Maxwell Federal Prison Camp, in case number 2:06cr233-MHT. During the plea colloquy, the defendant again stated that his name was Alfredo Rodriguez Rios.

3. While investigating the escape, the United States Marshals became aware of information that the defendant was not Alfredo Rodriguez Rios since the date of birth and social security number provided by the defendant had been lawfully assigned to a deceased individual.

4. The United States Marshals Service verified the information in their possession and extended their investigation to Puerto Rico and the Dominican Republic. The investigation concluded that during the defendant's incarceration at Maxwell Federal Prison Camp, serving a sentence imposed by the Middle District of North Carolina, the defendant listed a telephone number on his call list that was traced to the Dominican Republic. An investigation revealed that the telephone number belonged to the defendant's mother, Vianela Ogando Santiago, in the Dominican Republic. A photograph of Vianela Ogando Santiago's son, FRANCISCO AMAURY RUIZ OGANDO, appeared to match the photograph of the defendant.

5. Based upon the United States Marshals' investigation, the defendant was indicted in the Middle District of Alabama on September 14, 2007, under case number 2:07cr205-MHT, under the name FNU LNU, (alias, Francisco Amaury Ruiz Ogando, Alfredo Rodriguez Rios, Alfredo Rios Perez. FNU LNU was charged with making a false statement, social security fraud, identity theft, and perjury. The defendant was confronted with the evidence surrounding his fraudulent name and social security number during the Rule 16 discovery process.

6. On November 30, 2007, the defendant entered a guilty plea before United States Magistrate Judge Terry F. Moorer to all charges under case number 2:07cr205-MHT. During the

plea colloquy, the defendant admitted that he was FRANCISCO AMAURY RUIZ OGANDO and that his mother's name is Vianelo Ogando Santiago.

7. Based upon the above information, the United States respectfully requests that the defendant's name be corrected to reflect his correct identity as FRANCISCO AMAURY RUIZ OGANDO.

8. The United States contacted Michael Petersen, counsel for the defendant, and the defendant does not object to the correction of the records to reflect his correct name as FRANCISCO AMAURY RUIZ OGANDO.

Respectfully submitted this 12th day of December, 2007.

LEURA G. CANARY
UNITED STATES ATTORNEY

/s/ Tommie Brown Hardwick
TOMMIE BROWN HARDWICK
Assistant United States Attorney
131 Clayton Street
Montgomery, Alabama 36104
Telephone: (334) 223-7280
Fax: (334) 223-7135
E-mail: tommie.hardwick@usdoj.gov

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CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Michael Petersen, Esquire.

Respectfully submitted,

LEURA G. CANARY
UNITED STATES ATTORNEY

/s/ Tommie Brown Hardwick
TOMMIE BROWN HARDWICK
Assistant United States Attorney
131 Clayton Street
Montgomery, Alabama 36104
Telephone: (334) 223-7280
Fax: (334) 223-7135
E-mail: tommie.hardwick@usdoj.gov